Prepared by: Wilson, Lackey, Rohr & Hall, P.C.

NORTH CAROLINA

MEMORANDUM OF LEASE

CALDWELL COUNTY

HIBRITEN MOUNTAIN, LLC, a North Carolina limited liability company with the address 118 N. Sterling Street, Morganton, North Carolina 28655, hereby leases to CALDWELL COUNTY, a political subdivision of the State of North Carolina with the address 905 West Avenue, NW, Lenoir North Carolina 28645, for a term beginning March 1, 2022 and continuing for a maximum period of twenty-two years and four months through and including June 30, 2044, including extensions and renewals, if any, the following property:

See the attached Exhibit A.

The provisions set forth in a written Lease between Walter James Hogan and wife, Marie B. Hogan, as Landlord, and Caldwell County, as Tenant, dated the 27th day of March, 2007, together with those provisions set forth in a written Consent to Assignment dated September 12, 2011, and a written First Amendment of Lease dated June ____, 2024, are hereby incorporated in this memorandum.

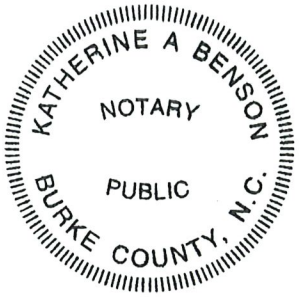
HIBRITEN MOUNTAIN, LLC, Landlord

By: _____
James Bach Hogan, Manager

CALDWELL COUNTY, Tenant

By: _____
Randy T. Church, Chairman

SEAL



STATE OF NORTH CAROLINA
COUNTY OF Burke

I, the undersigned, a Notary Public of the County and State aforesaid, certify that James Bach Hogan personally came before me this day and acknowledged that he is Manager of HIBRITEN MOUNTAIN, LLC, a North Carolina limited liability company, and that he, being authorized to do so, executed the foregoing on behalf of the company. Witness my hand and official stamp or seal, this the 31st day of ~~June~~ May, 2024.

Katherine A. Benson
NOTARY PUBLIC SIGNATURE

Katherine A. Benson
NOTARY PUBLIC PRINTED NAME

My Commission Expires: March 1, 2025

SEAL

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, the undersigned, a Notary Public of the County and State aforesaid, certify that Randy T. Church personally came before me this day and acknowledged that he is Chairman of the Board of County Commissioners of CALDWELL COUNTY, a political subdivision of the State of North Carolina, and that he, being authorized to do so, executed the foregoing on behalf of the County. Witness my hand and official stamp or seal, this the _____ day of June, 2024.

_____
NOTARY PUBLIC SIGNATURE

_____
NOTARY PUBLIC PRINTED NAME

My Commission Expires: _____

EXHIBIT "A"
Leased Premises

BEGINNING on a new ½ inch iron pipe, a new corner, said BEGINNING CORNER being located South 41 degrees 23 minutes 20 seconds East 8,152.35 feet from N.C.G.S. Station "Eastlen", and said BEGINNING POINT having the North Carolina Grid Coordinates (NAD 83) of North 794,585.168 feet, East 1,263,906.971 feet; thence from the POINT OF BEGINNING and with four new lines: North 69 degrees 40 minutes 00 seconds East 100.00 feet to a new ½ inch iron pipe; South 20 degrees 20 minutes 00 seconds East 100.00 feet to a new ½ inch iron pipe; South 69 degrees 40 minutes 00 seconds West 100.00 feet to a new ½ inch iron pipe; North 20 degrees 20 minutes 00 seconds West 100.00 feet to a new ½ inch iron pipe, the POINT OF BEGINNING, containing 10,000 square feet by coordinates.

Being part of that property belonging to Walter James Hogan, a Deed of which is recorded at Deed Book 440 at Page 260 in the Caldwell County Registry of Deeds, being in Lower Creek Township, and being more particularly described above.

Landlord hereby grants to Tenant for and during the term of this Lease and any extension thereof, a right-of-way thirty (30) feet in width, for ingress and egress to and from the Leased Premises leading from a Forest Service road crossing Landlord's property to the above described 10,000 square foot tract, the centerline being more particularly described as follows:

BEGINNING on a point in the center of Forest Service road leading to the top of Hibriten Mountain, said BEGINNING POINT being located South 40 degrees 54 minutes 41 seconds East 8,036.15 feet from N.C.G.S. Station "Eastlen", and said BEGINNING POINT having the North Carolina Grid Coordinates (NAD 83) of North 794,628.263 feet, East 1,263,779.699 feet; thence from the POINT OF BEGINNING and with five new calls with the center of an existing 12 foot wide woods road as follows: South 60 degrees 20 minutes 18 seconds East 35.36 feet; South 73 degrees 47 minutes 32 seconds East 26.72 feet; North 82 degrees 45 minutes 23 seconds East 62.12 feet, South 83 degrees 03 minutes 51 seconds East 27.55 feet; South 55 degrees 07 minutes 03 seconds East 15.13 feet; South 33 degrees 33 minutes 41 seconds East 2.59 feet to a point in the northwest line of the above described 10,000 square foot tract, said point being located North 69 degrees 40 minutes 00 seconds East 34.05 feet from an existing iron pipe; which is the POINT OF BEGINNING of the above described 10,000 square foot tract.